



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEB 9 2000

R. Jeffrey Bixler
General Counsel
333 N. Summit Street
P.O. Box 10086
Toledo, Ohio 43699-0086

RE: MUR 4951

Manor Healthcare Corp. Federal
Political Action Committee and
Frank Jannazo, as treasurer

Dear Mr. Bixler:

On February 2, 2000, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on the committee's behalf in settlement of a violation of 2 U.S.C. §§ 434(a)(1), (a)(4)(A)(i), and (a)(4)(A)(iii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Chapters 95 and 96 of Title 26, U.S. Code. Accordingly, the file has been closed in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script, appearing to read "Clint Short".

Clinett Short
Paralegal Specialist

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR: 4951
Manor Healthcare Corp. Federal Political)
Action Committee and Frank Jannazo, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Manor Healthcare Corp. Federal Political Action Committee and Frank Jannazo, as treasurer ("Respondent") violated 2 U.S.C. §§ 434(a)(1), (a)(4)(A)(i), and (a)(4)(A)(iii).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Manor Healthcare Corp. Federal Political Action Committee is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Frank Jannazo is the treasurer of Manor Healthcare Corp. Federal Political Action Committee.

3. The Federal Election Campaign Act of 1971, as amended ("the Act"), requires treasurers of political committees, other than authorized committees of a candidate, to file periodic reports of receipts and disbursements. 2 U.S.C. § 434(a)(1). Such committees may choose to file reports either on a monthly or a quarterly basis. 2 U.S.C. § 434(a)(4). Each treasurer of a political committee shall file reports of receipts and disbursements and shall sign each such report. 2 U.S.C. § 434(a)(1).

4. In a calendar year in which a regularly scheduled general election is held, committees that choose to file on a quarterly basis shall file quarterly reports no later than the 15th day after the last day of each calendar quarter: except that the report for the quarter ending on December 31 of such calendar year shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(i). A committee's post-general election report shall be filed no later than the 30th day after the general election and shall be complete as of the 20th day after such general election. 2 U.S.C. § 434(a)(4)(A)(iii).

5. The Committee was required to have the current treasurer or assistant treasurer, as reported in the Committee's most recent amendment to its Statement of Organization, sign all such reports submitted on its behalf. 2 U.S.C. § 434(a)(1); 11 C.F.R. §§ 102.7(a), 104.14(a).

6. The Committee was required to file its 1998 April Quarterly Report no later than April 15, 1998, its 1998 July Quarterly Report no later than July 15, 1998, and its 1998 October Quarterly Report no later than October 15, 1998. In addition, the Committee was also required to file its 1998 30 Day Post-General Report no later than December 3, 1998 and its 1998 Year End Report no later than January 31, 1999.

7. On April 29, 1998, the committee filed its 1998 April Quarterly Report, which disclosed \$1,175 in receipts and \$12,250 in disbursements. This report, which should have been filed by April 15, 1998, was 14 days late. On October 7, 1998, the committee filed its 1998 July Quarterly Report, which disclosed \$22,273 in receipts and \$15,059 in disbursements. This report, which should have been filed by July 15, 1998, was 84 days late. On March 5, 1999, the committee filed its 1998 October Quarterly Report, which disclosed \$19,213 in receipts and \$32,300 in disbursements. This report, which should have been filed by October 15, 1998, was 141 days late. On March 5, 1999, the committee filed its 1998 30 Day Post-General Report, which disclosed \$7,441 in receipts and \$6,500 in disbursements. This report, which should have been filed by December 3, 1998, was 92 days late. On March 5, 1999, the committee filed its 1998 Year End Report, which disclosed \$3,331 in receipts and \$0 in disbursements. This report, which should have been filed by January 31, 1999, was 33 days late.

8. On December 14, 1998, the Committee filed an amendment to its Statement of Organization designating Frank Jannazo as its new treasurer, replacing Leigh Comas. No assistant treasurer was designated. Consequently, Frank Jannazo was thereafter required to sign all designations, reports or statements required to be filed by the Committee with the Commission.

9. The Committee's 1998 October Quarterly Report, its 1998 30-Day Post General Report, and its 1998 Year End Report, all of which were untimely filed by the Committee on March 5, 1999, were signed by Leigh Comas, the former treasurer, instead of Frank Jannazo.

V. The Committee failed to timely file its 1998 April Quarterly Report, 1998 July Quarterly Report, 1998 October Quarterly Report, 1998 30 Day Post-General Report, and its

1998 Year End Report in violation of 2 U.S.C. § 434(a)(4)(A)(i) & (iii). The Committee also failed to have the current treasurer sign and submit several of these reports in violation of 2 U.S.C. § 434(a)(1).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of five thousand five hundred dollars (\$5,500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

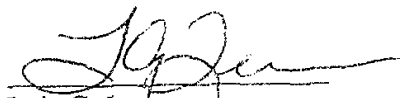
IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

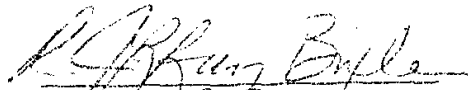
BY:


Lois G. Lerner
Associate General Counsel

Date

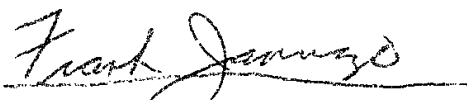
2/8/00

FOR THE RESPONDENTS:


(Name) R. JEFFREY BIXLER
(Position) GENERAL COUNSEL
MANORCARE HEALTH
SERVICES, INC

Date

1/4/2000


Frank Jannazzo
Treasurer
Manor Health Corp
Federal Political
Action Committee

Date

1/4/2000